

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ZALTON E. BROOKS,

Plaintiff,

v.

TOPEZ SUPER CAR WASH, *et al.*,

Defendants.

Case No. 2:22-cv-001913-MMD-VCF

ORDER

Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Cam Ferenbach (ECF No. 9), recommending that the Court dismiss this action for Plaintiff Zalton E. Brooks’s failure to file an amended complaint. Brooks had until March 16, 2023 to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts the R&R in full and dismisses this action.

Because there is no objection, the Court need not conduct de novo review and is satisfied Judge Ferenbach did not clearly err. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original). Here, Judge Ferenbach recommends dismissing this action because Brooks has failed to file an amended complaint in accordance with Judge Ferenbach’s January 24, 2023 order (ECF No. 7) or an objection to that order, and the deadline to do so has passed. (ECF No. 9 at 1.) The Court agrees with Judge Ferenbach. Having reviewed the R&R and the record in this case, the Court will adopt the R&R in full.

It is therefore ordered that Judge Ferenbach’s Report and Recommendation (ECF No. 9) is accepted and adopted in full.

1 It is further ordered that this action is dismissed without prejudice.

2 The Clerk of Court is directed to enter judgment accordingly and close this case.

3 DATED THIS 21st Day of March 2023.

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6 MIRANDA M. DU
7 CHIEF UNITED STATES DISTRICT JUDGE
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